



1997 SENATE BILL 263

July 22, 1997 – Introduced by Senator CLAUSING, cosponsored by Representatives JOHNSRUD, PLOUFF, FREESE, AINSWORTH, MUSSER, POWERS, HASENOHRL, BRANDEMUEHL, J. LEHMAN, M. LEHMAN, GOETSCH, SKINDRUD, KEDZIE, SYKORA, JESKEWITZ, GREEN, HARS DORF and PORTER. Referred to Committee on Agriculture and Environmental Resources.

1 **AN ACT** *to renumber and amend* 29.225 (1) and 29.226 (1); *to amend* 29.092
2 (2) (n), 29.092 (13) (f), 29.093 (2) (f), 29.225 (title), 29.225 (2), 29.225 (3), 29.225
3 (4) (a), 29.226 (2), 29.227 (1) (b), 29.227 (2) (b) 2., 29.227 (3) (a) 2., 29.227 (3) (b)
4 2., 29.227 (3) (b) 3. and 938.343 (7); and *to create* 29.09 (12m), 29.225 (1) (bg)
5 and (br), 29.225 (1) (c), 29.226 (1) (b) and 29.226 (2m) of the statutes; **relating**
6 **to:** the hunter education and safety program and hunting approvals issued to
7 bow hunters.

Analysis by the Legislative Reference Bureau

With certain exceptions, under current law any person born after January 1, 1973, must successfully complete a hunter education and safety course administered by the department of natural resources (DNR) before being issued a license that authorizes hunting, either by firearm or by bow and arrow or by both. This bill requires DNR to include 2 components in the course of instruction under the program: one in firearm safety and one in bow hunting safety. Under current law, the course of instruction must be offered in each school district or county. Under the bill, the bow hunting safety component need not be offered in each school district or county.

Under the bill, a person may take only the bow hunting safety component. If a person who was born after January 1, 1973, and who has not been issued a

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certificate of accomplishment before the effective date of this bill successfully completes only the bow hunting safety component the person may only be issued a license authorizing hunting by bow and arrow.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 29.09 (12m) of the statutes is created to read:

2 29.09 (**12m**) SMALL GAME HUNTING LICENSES. (a) A person who is issuing a
3 resident small game hunting license, a nonresident annual small game hunting
4 license or a nonresident 5-day small game hunting license to a person who, under
5 s. 29.226, is required to have a certificate of accomplishment issued by the
6 department or other evidence of having completed a hunter safety course in another
7 state shall do one of the following, if applicable:

8 1. For an applicant who presents a certificate of accomplishment issued by the
9 department under s. 29.225 that states the applicant successfully completed only the
10 bow hunting safety component of the hunter education and safety program, the
11 person shall indicate on the license that the person is authorized to hunt small game
12 only with a bow and arrow.

13 2. For an applicant who presents a certificate, license or other evidence showing
14 that he or she has completed a hunter safety course in another state that is
15 recognized by the department under s. 29.226 (2m), the person shall indicate on the
16 license that the person is authorized to hunt small game only with a bow and arrow.

17 (b) Paragraph (a) 1. does not apply to certificates of accomplishment issued
18 before the effective date of this paragraph [revisor inserts date].

19 **SECTION 2.** 29.092 (2) (n) of the statutes is amended to read:

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1 29.092 (2) (n) (title) *Hunter education and firearm safety course; instruction fee;*
2 *certificate of accomplishment.* The instruction fee for the hunter education and
3 ~~firearm~~ safety course provided in s. 29.225 is \$3. There is no fee for the original
4 issuance of a certificate of accomplishment if the instruction fee is paid.

5 **SECTION 3.** 29.092 (13) (f) of the statutes is amended to read:

6 29.092 (13) (f) *Duplicate hunter certificate of accomplishment.* The fee for a
7 duplicate hunter education and ~~firearm~~ safety course certificate of accomplishment
8 issued under s. 29.225 (4) (b) is \$2.

9 **SECTION 4.** 29.093 (2) (f) of the statutes is amended to read:

10 29.093 (2) (f) *Certificate of accomplishment.* Except as provided under s. 29.227
11 (1) (d), a certificate of accomplishment issued under s. 29.225 is valid for the hunting
12 of small game in place of a resident small game hunting license from the date of
13 issuance until March 31 of the following year.

14 **SECTION 5.** 29.225 (title) of the statutes is amended to read:

15 **29.225 (title) Hunter education and firearm safety program; certificate**
16 **of accomplishment.**

17 **SECTION 6.** 29.225 (1) of the statutes is renumbered 29.225 (1) (a) and amended
18 to read:

19 29.225 (1) (a) The department shall establish by rule a statewide hunter
20 education and ~~firearm~~ safety program. The Except as provided in par. (c), the hunter
21 education and ~~firearm~~ safety program shall provide for a course of instruction in each
22 school district or county. The department shall conduct this course of instruction in
23 cooperation with qualified individuals, organizations, groups, associations, public or
24 private corporations and federal, state and local governmental entities. ~~This~~

SENATE BILL 263**SECTION 6**

1 (b) The course of instruction shall provide instruction to students in the
2 ~~commonly accepted principles of safety in handling hunting firearms and~~
3 ~~equipment~~, the responsibilities of hunters to wildlife, environment, landowners and
4 others, how to recognize threatened and endangered species ~~which~~ that cannot be
5 hunted and the principles of wildlife management and conservation.

6 **SECTION 7.** 29.225 (1) (bg) and (br) of the statutes are created to read:

7 29.225 (1) (bg) In addition to the topics specified under par. (b), the course of
8 instruction shall include the following components:

9 1. A firearm safety component providing instruction in the commonly accepted
10 principles of safety in handling firearms used in hunting and their associated
11 equipment.

12 2. A bow hunting safety component providing instruction in hunting with bows
13 and arrows and their associated equipment.

14 (br) The bow hunting safety component need not be offered in each school
15 district or county.

16 **SECTION 8.** 29.225 (1) (c) of the statutes is created to read:

17 29.225 (1) (c) A person who is enrolled in the course may take the firearm safety
18 component, or, if the bow hunting safety component is offered, the bow hunting safety
19 component or both components.

20 **SECTION 9.** 29.225 (2) of the statutes is amended to read:

21 29.225 (2) ADMINISTRATION. The law enforcement administrator shall be the
22 department's authorized agent to administer, supervise and enforce this section.
23 The department shall appoint a qualified person from the law enforcement function,
24 under the classified service, as the hunter education administrator and shall
25 prescribe his or her duties and responsibilities. The department may appoint county

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1 directors, master hunter education instructors and regular hunter education
2 instructors necessary for the hunter education and firearm safety program. These
3 appointees are responsible to the department and shall serve on a voluntary basis
4 without compensation.

5 **SECTION 10.** 29.225 (3) of the statutes is amended to read:

6 29.225 (3) INSTRUCTION FEE. The department shall collect the instruction fee
7 specified under s. 29.092 (2) (n) from each person who receives instruction under the
8 hunter education and firearm safety program. The department may authorize an
9 instructor conducting a course of instruction meeting standards established by the
10 department to retain 50% of this fee to defray expenses incurred locally to operate
11 the program. The remaining portion of the fee or, if nothing is retained, the entire
12 fee shall be deposited in the conservation fund.

13 **SECTION 11.** 29.225 (4) (a) of the statutes is amended to read:

14 29.225 (4) (a) *Issuance.* The department shall issue a certificate of
15 accomplishment to a person who successfully completes the course of instruction
16 under the hunter education and firearm safety program and who pays the
17 instruction fee. The department shall prescribe the form and content of the
18 certificate of accomplishment. The certificate shall state whether the person
19 successfully completed the firearm safety component, the bow hunting safety
20 component or both. The certificate may be used by a resident to whom issued in place
21 of a small game hunting license as required in s. 29.09.

22 **SECTION 12.** 29.226 (1) of the statutes is renumbered 29.226 (1) (a) and
23 amended to read:

SENATE BILL 263**SECTION 12**

1 29.226 (1) (a) Except as provided under subs. (2), (2m) and (3), no person born
2 on or after January 1, 1973, may obtain any approval authorizing hunting unless the
3 person is issued a certificate of accomplishment under s. 29.225.

4 **SECTION 13.** 29.226 (1) (b) of the statutes is created to read:

5 29.226 (1) (b) For a person who is issued a certificate of accomplishment under
6 s. 29.225 on or after the effective date of this paragraph [revisor inserts date], the
7 approval issued under par. (a) shall authorize hunting only with a bow and arrow if
8 the person's certificate states that the person successfully completed only the bow
9 hunting safety component of the course of instruction under s. 29.225 (1) (bg) 2.

10 **SECTION 14.** 29.226 (2) of the statutes is amended to read:

11 29.226 (2) A person who has a certificate, license or other evidence indicating
12 that he or she has completed in another state a hunter safety course ~~in another state~~
13 and if the course is recognized by the department under a reciprocity agreement, the
14 person may obtain an approval authorizing hunting regardless of whether the
15 person is issued a certificate of accomplishment under s. 29.225 in this state.

16 **SECTION 15.** 29.226 (2m) of the statutes is created to read:

17 29.226 (2m) A person who has a certificate, license or other evidence indicating
18 that he or she has completed in another state a hunter safety course that consisted
19 only of bow hunting safety instruction and if the course is recognized by the
20 department under a reciprocity agreement, the person may obtain an approval
21 authorizing hunting only with a bow and arrow regardless of whether the person is
22 issued a certificate of accomplishment under s. 29.225 in this state.

23 **SECTION 16.** 29.227 (1) (b) of the statutes is amended to read:

24 29.227 (1) (b) *Restrictions on possession or control of a firearm.* No person
25 under 12 years of age may have in his or her possession or control any firearm unless

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1 he or she is enrolled in a course of instruction under the hunter education and
2 firearm safety program that includes the firearm safety component and he or she is
3 carrying the firearm in a case and unloaded to or from that class under the
4 supervision of a parent or guardian or is handling or operating the firearm during
5 that class under the supervision of an instructor.

6 **SECTION 17.** 29.227 (2) (b) 2. of the statutes is amended to read:

7 29.227 (2) (b) 2. Is enrolled in a course of instruction that includes the firearm
8 safety component under the hunter education and ~~firearm~~ safety program and is
9 carrying the firearm in a case and unloaded to or from that class or is handling or
10 operating the firearm during that class under the supervision of an instructor.

11 **SECTION 18.** 29.227 (3) (a) 2. of the statutes is amended to read:

12 29.227 (3) (a) 2. Is issued a certificate of accomplishment that states that he
13 or she completed the firearm safety component under the hunter education and
14 ~~firearm~~ safety program or has a similar certificate issued by another state or
15 province.

16 **SECTION 19.** 29.227 (3) (b) 2. of the statutes is amended to read:

17 29.227 (3) (b) 2. Is enrolled in a course of instruction that includes the firearm
18 safety component under the hunter education and ~~firearm~~ safety program and is
19 carrying the firearm in a case and unloaded to or from that class or is handling or
20 operating the firearm during that class under the supervision of an instructor; or

21 **SECTION 20.** 29.227 (3) (b) 3. of the statutes is amended to read:

22 29.227 (3) (b) 3. Is issued a certificate of accomplishment that states that he
23 or she completed the firearm safety component under the hunter education and
24 ~~firearm~~ safety program or has a similar certificate issued by another state or
25 province.

